

United States District Court

EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

UNITED STATES OF AMERICA

V.

FIDENCIO HOMERO MARTINEZ

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§

CASE NO. 5:12CR7

ORDER ADOPTING THE REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

The above-styled matter was referred to the Honorable Caroline M. Craven, United States Magistrate Judge, for administration of a guilty plea under Rule 11 of the Federal Rules of Criminal Procedure. Judge Craven conducted a hearing in the form and manner prescribed by Federal Rule of Criminal Procedure 11 and issued her Report and Recommendation (document [#33](#)) on August 13, 2012. Judge Craven recommended that the Court accept Defendant's guilty plea and conditionally approve the plea agreement. She further recommended that the Court finally adjudge Defendant as guilty of Count 2 of the Indictment filed against Defendant in this cause.

The parties have not objected to the magistrate judge's findings. The Court is of the opinion that the Report and Recommendation should be accepted. It is accordingly **ORDERED** that the Report and Recommendation of the United States Magistrate Judge (document [#33](#)) is **ADOPTED**. It is further

ORDERED that the Defendant's guilty plea is accepted and approved by the Court. Further, the plea agreement is approved by the Court, conditioned upon a review of the presentence report. It is finally

ORDERED that, pursuant to the Defendant's plea agreement, the Court finds the Defendant **GUILTY** of Count 2 of the **Indictment** in the above-numbered cause and enters a **JUDGMENT OF GUILTY** against the Defendant as to Count 2 of the **Indictment**.

It is SO ORDERED.

SIGNED this 6th day of September, 2012.

A handwritten signature in black ink, reading "Michael H. Schneider", written over a horizontal line.

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE